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PTO/SB/29 (12/97)
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PATENT & TRADEMARK OFFICE

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
☐ **DUPLICATE**

| | | |
|--|------------------------|---------------|
| Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231 | Attorney Docket No. | 16904-727 |
| | First Named Inventor | Knowlton |
| | Express Mail Label No. | EL322092231US |
| | Total Pages | 2 |

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09/003,098,
filed on January 6, 1998, entitled Method and Apparatus for Controlled Contraction of Collagen Tissue.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.

2. ☐ A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed.
a. ☐ PTO-1449
b. ☐ Copies of IDS Citations

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TECHNICAL STAFF

03/23/2000 STEFERRA 00000047 232415 09003098
01 FC:203 432.00 CH
02 FC:231 345.00 CH
03 FC:217 435.00 CH

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|--|------------------|------------------|-------------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c)) | 68-20 = | 48 | × \$9= | \$ 432.00 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b)) | 3-3 = | 0 | × \$__= | |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | × \$__= | |
| | | | | BASIC FEE (37 CFR 1.16(a)) | 345.00 |
| | Total of above Calculations = | | | | |
| | TOTAL = | | | | 777.00 |

6. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☒ A small entity statement was filed in the prior nonprovisional applications and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23-2415 - (16904-727) :

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.

8. ☐ A check in the amount of \$____ is enclosed.

9. ☒ Other: A three-month extension of time is hereby requested. The Commissioner is authorized to charge \$435.00 (for a small entity) to Deposit Account No. 23-2415 (16904-727)

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NOTE: *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

10. NEW CORRESPONDENCE ADDRESS

| | | | | | |
|---|--|---|--|--|--|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | | 021971 | | or <input type="checkbox"/> New correspondence address below | |
| | | (Insert Customer No. or Attach bar code label here) | | | |
| NAME | | | | | |
| ADDRESS | | | | | |
| CITY | | STATE | | ZIP CODE | |
| COUNTRY | | TELEPHONE | | FAX | |

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | |
|-----------|-----------------------------|
| NAME | Paul Davis, Reg. No. 29,294 |
| SIGNATURE | <i>Paul Davis</i> |
| DATE | 3/20/00 |

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 1997

Application or Docket Number

09/003098

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

| FOR | NUMBER FILED | NUMBER EXTRA |
|----------------------------------|-----------------|--------------|
| BASIC FEE | | |
| TOTAL CLAIMS | 68 minus 20 = * | 48 |
| INDEPENDENT CLAIMS | 3 minus 3 = * | |
| MULTIPLE DEPENDENT CLAIM PRESENT | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

| RATE | FEE |
|--------|--------|
| | 745 |
| | 395.00 |
| x\$11= | 432 |
| x41= | |
| +135= | |
| TOTAL | 777 |

OR

OR

OR

OR

OR

| RATE | FEE |
|--------|--------|
| | 790.00 |
| x\$22= | |
| x82= | |
| +270= | |
| TOTAL | |

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|-------------|--|------------------------------------|---------------|
| | Total * | Minus ** | = |
| | Independent * | Minus *** | = |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | |

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$11= | |
| x41= | |
| +135= | |
| TOTAL ADDIT. FEE | |

OR

OR

OR

OR

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$22= | |
| x82= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|-------------|--|------------------------------------|---------------|
| | Total * | Minus ** | = |
| | Independent * | Minus *** | = |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | |

TOTAL ADDIT. FEE

OR

TOTAL ADDIT. FEE

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$11= | |
| x41= | |
| +135= | |
| TOTAL ADDIT. FEE | |

OR

OR

OR

OR

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$22= | |
| x82= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| AMENDMENT C | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|-------------|--|------------------------------------|---------------|
| | Total * | Minus ** | = |
| | Independent * | Minus *** | = |
| | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | |

TOTAL ADDIT. FEE

OR

TOTAL ADDIT. FEE

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$11= | |
| x41= | |
| +135= | |
| TOTAL ADDIT. FEE | |

OR

OR

OR

OR

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| x\$22= | |
| x82= | |
| +270= | |
| TOTAL ADDIT. FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.